HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

DIVISION BENCH

CORAM : HON'BLE SHRI H.L. DATTU, CJ &
HON'BLE SHRI V.K. SHRIVASTAVA, J.

WRIT APPEAL NO. 58 OF 2007

APPELLANT PETITIONER

Bansi Lal Sahu, son of Shri D.R. Sahu, aged about 58 years, Occupation : Service as Sub Inspector in the Chhattisgarh Police, Posted at City Kotwali, Mahasamund, resident of Mahasamund, Tehsil and District Mahasamund (C.G.).

Versus

RESPONDENTS

1. The State of Chhattisgarh, through the Secretary, Department of Home Affairs, Mantralay, D.K.S. Bhawan, Raipur, District Raipur (C.G.).
2. The State of Chhattisgarh, through the Under Secretary, Department of Home, Mantralaya, D.K.S. Bhawan, Raipur, District-Raipur (C.G.).
3. The Director General of Police, P.H.Q., Raipur, Tehsil and District Raipur (C.G.).
4. The Superintendent of Police, Mahasamund, Tehsil and District Mahasamund (C.G.).

Present :-
Shri Awadh Tirpathi, counsel for the appellant.
Shri N.K. Agrawal, Dy. Advocate General for the State/respondents.

ORAL ORDER
(Passed on 23rd March, 2007)

The following oral order of the Court was passed by **H.L. Dattu, CJ**.

This appeal is against the order passed by the learned Single Judge in W.P.No.6852/2006 dated 9-1-2007.

2) Appellant is employed as Sub Inspector. He was transferred by an order dated 9/10-3-2006 from Mahasamund District to Sarguja Range. Aggrieved by the said transfer order he was before this Court on an earlier

occasion in W.P.No.1354/2006. This Court was pleased to dispose of the said writ petition with a direction to the petitioner to make an appropriate representation before the respondents bringing out all his difficulties in joining the transferred place and a further direction was issued to the respondents to consider the representation in accordance with law.

3) After disposal of the writ petition, the appellant had filed a representation before the respondents and that representation was considered by the respondents and they have passed an order which is not in favour of the appellant.

4) Aggrieved by the order of transfer passed earlier and also the order rejecting his representation, the appellant has approached this Court in W.P.No.6852/2006. The learned Single Judge has rejected the writ petition and that is how the appellant is before us in this appeal.

5) At the outset, we would like to state that transfer is an incident of service and the appellant has been transferred from Mahasamund District to Sarguja Range. It is expected of a disciplined employee like the appellant to obey the orders and directions issued by the superior authorities. Shri Tripathi, learned counsel appearing for the appellant, would submit that violating the transfer policy issued by the State Government, the respondents have transferred the appellant.

6) Since the transfer is an exigency of service, in our opinion, the respondents had not committed any irregularity to call for our interference in this matter. In that view of the matter, we do not incline to entertain this writ appeal. Accordingly, this writ appeal requires to be and is accordingly rejected. Ordered accordingly.

Sd/-
V.K.Shrivastava
Judge

Sd/-
Chief Justice